



A Monthly Publication of BENGlassLaw

This newsletter is for informational purposes only and no legal advice is intended.

## Three Methods of **WORKPLACE TRIAGE**



By *Tammy HineLine*



*We've all been there. The workday has only just begun, and you don't know where to start! When work piles up, how do you tackle an endless barrage of people and things that need your attention? The answer is triage. Much like a doctor has to categorize patients in order of medical urgency, finding a triage method that works for you can help you tackle your workday. Here are three different ways to approach it:*

### **1 Eat the Frog**

If you have to eat a frog, you might as well do it first. Begin with identifying the one thing you don't want to do and why. Is it a small task but uncomfortable to follow through with, like giving someone bad news? Eat it. Is it a daunting task you've been putting off because you're worried about how the result will look? Eat it. Get that one thing you're dreading out of the way, and you'll start to feel a lot better about all the other things you have to do. Hey, if you can eat a frog, you can eat anything!

### **2 The 5-Minute Rule**

List everything you've got for the day and separate what will take five minutes or less to do. These could be tasks like responding to an email, making a follow-up call, or getting something important into the mail. Knocking out six tasks in 30 minutes does more than just make you FEEL productive. It also allows you to focus on the more involved work without a gigantic list of unfinished things staring you in the face. If you start with a bigger task and overestimate how much time it involves, you risk letting all those little things go undone and stressing you out. What's worse is at the end of the day when all you've crossed off is one thing.

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### *FREE INSTANT DOWNLOAD* **THE TRUTH ABOUT LAWYER ADVERTISING**



*Most lawyer advertising just stinks.*

Think about it. You can't compare one lawyer to another by the ads,

can you? Most of them just brag about being "aggressive," as though that's something unique.

That's why Ben wrote *The Truth about Lawyer Advertising: The Complete Consumer Guide to Finding the Right Lawyer for Your Case—Every Time.*

Go to [TheTruthAboutLawyerAds.com](http://TheTruthAboutLawyerAds.com) to get your free download now or call 703.544.7876 to have a copy mailed to you.

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## BGL INSIDER: CASES WE'VE SETTLED



### PERSONAL INJURY

- **Lisa resolved a case with questionable medical causation for USAA's \$100K policy limits.**
- **Jenn just settled a sternum fracture case without much follow-up care with Allstate for \$46K.** This was 4x the medical costs, we evaluated it as being worth \$25-35K, and the client would have been happy with anything over \$30K.
- **Brian settled a legal malpractice case against a lawyer who had named the wrong entity in a slip and fall complaint for \$18K.**

### DISABILITY

***Long-term Disability (LTD) had a great month, settling two lawsuits and winning one appeal.***

- **Our client worked for a major national bank. She suffers from back and neck pain and carpal tunnel syndrome.** Our client's employer denied both short-term disability (STD) and long-term disability (LTD) appeals, and we filed a lawsuit. That suit was just settled for 100% of the STD claim (\$14,632.80) plus \$4,000 in attorney fees, and the insurance company will now review the claim for long-term disability.
- **The insurance company denied our client's claim based on a migraine disorder, despite the fact that she was seeing a neurologist at the UVA Headache Center who said she could not work and was approved for SSDI benefits.** The LTD back benefits due were only \$2,400 since our client's LTD benefit was almost entirely offset by the SSDI payments she received for herself and her daughter. We settled her lawsuit for \$20,000. We have to wonder why the insurance company spent thousands on medical reviews to deny the claim and then thousands more to deny the appeal, then hired a lawyer to handle the lawsuit (more thousands of dollars) only to pay \$20,000 to settle the claim. Alternatively, they could have just kept paying \$200/month until our client recovered. At this point, the insurance company has certainly paid more to (mis)manage the claim and the lawsuit than the maximum value of what the claim was worth. You'd think it was taxpayer dollars they're playing with.
- **In another case, our client last worked as a shipper/stocker for a large steel manufacturer.** He suffers from bilateral knee conditions and had a total left knee replacement in February 2019. At first, his claim centered on his left knee condition, and he was awarded STD, and later, LTD benefits on that basis. Unfortunately, as is typical in knee conditions, his overuse of his right knee while he recovered from his left knee surgery caused his right knee to deteriorate, too. His orthopedic surgeon opines that our client will need surgery on his right knee in the future. Additionally, his left knee replacement will require revision due to loosening of the cement used in surgery. After a year of paying his benefits under the "own occupation" standard, the insurance company reviewed our client's claim under the "any occupation" standard, referring his file to two peer reviewers. After receiving a peer review report from Dr. Penny, an orthopedist, the insurance company conducted a transferable skills analysis which, without explanation, only examined the restrictions as to his left knee. Based on those restrictions, the insurance company "found" other occupations our client could perform and subsequently issued its termination letter. We appealed, and the insurance company today said, "you win." Our client will get back benefits dating back to February 2020 and receive ongoing benefits for as long as he remains disabled or until retirement age. ■

## BGL's Best Bites:



Susie Callahan

# ST. PATTY'S DAY IRISH COFFEE RECIPE

### Ingredients:

- 1 heaping Tbsp brown sugar
- 1 ½ oz Irish Whiskey
- ½ oz Kahlua
- 1/3 cup of freshly brewed coffee
- Heavy whipping cream, lightly whipped, or your favorite canned whipped topping.
- 1 Tbsp Bailey's Irish Cream
- Decorative sprinkles, if desired

### Directions:

- 1 Stir together Irish Whiskey and brown sugar in an Irish Coffee glass, mug, or other heatproof glass until sugar is (mostly) dissolved.
- 2 Add the Kahlua.
- 3 Pour in hot coffee, leaving room for the whipped cream.
- 4 Float the whipped cream on top using the back of a spoon.
- 5 Do not stir!
- 6 Drizzle a spoonful of Bailey's Irish Cream over the whipped cream.
- 7 Sprinkle with chocolate shavings or green and white baking sprinkles. ■

*Enjoy!*



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## Three Methods of Workplace Triage

### 3 Hazardous and Imminent

Draw an XY graph with the two variables being hazardous (how much damage a task will do if it doesn't get done) and imminent (how soon the damage is likely to occur). From there, categorize all of your tasks based on these two qualities. Your top priorities will be in the upper-right quadrant of the graph—the things that will cause a lot of damage sooner rather than later. This method can put your work into perspective. Say you've got a task that, if neglected, will do a lot of damage, but you've got six months to do it. Maybe it would be smarter to handle a task that does less damage, but you'll feel the ramifications tomorrow.

In reality, you'll find a way to workplace triage that combines different methods. When overwhelmed, I start my day with the 5-minute rule and then do a second round of triage with the hazardous and imminent. Once in a while, when that uneasy feeling in the pit of my stomach grows over a weekend, I know on Monday morning I may have to show up and eat a frog. ■

## Reminder About Our Firm's Communication Policy

Our promise to you is that while we are working on your case, we don't take inbound phone calls, faxes or emails. Ben Glass takes no inbound unscheduled phone calls whatsoever. It makes him much more productive and helps get your case resolved faster. You can always call the office at 703-544-7876 and schedule an in-person or phone appointment, usually within 24-48 hours. This is a lot better than the endless game of "phone tag" played by most businesses today. Remember, too, that email is "quick," but is checked no more than twice a day. Replies are then scheduled into the calendar. So if it's really important, don't email—call the office instead.

This publication is intended to educate the general public about personal injury, ERISA disability, and small business issues. It is not intended to be legal advice. Every case is different. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.



# WHAT WOULD BEN SAY

## Here are my thoughts for the month:

- **IMPEACHMENT** – No matter what you think of Trump, President Biden has got to be upset that the Democrats managed to put Trump back as the lead story of every newspaper and news show in early February. Democrats want to prevent him from running again, when they should be hoping that he *does* run again, thus splitting the votes of Republicans and allowing Biden-Harris to get their eight years in the White House. Sometimes you need to look at the big picture when you are gaming out strategy.
  - **WHY DOES BAD NEWS ATTRACT OUR EYES SO EASILY?** We are hard-wired to be on the lookout for danger. It's evolutionary. Those humans who relaxed were eaten by animals or attacked by neighbors. But you can change the way *you* see the world. You are not going to be eaten by a mastodon. Your food is there, waiting for you—at the grocery store. Our perception of events is critically important to how we find ourselves living in THIS world. As best as you can, divide events that seem to be “dangerous” into two categories: (1) stuff I can do something about (e.g., the people I choose to hang out with), and (2) stuff I have no control over (e.g., the weather). If you haven't read my book, *Live Life Big, a User's Manual*, reach out, and we'll get you a copy.
  - **I LOVE THIS** – In Australia, the government is trying to force Google to pay publishers for news. Google objects, but rather than raise a big fuss, it just threatens to shut down Google Search in Australia. This is the same tactic Uber and Lyft used in California when the government wanted to force a different employment model on these two companies. They said, “Fine, we'll leave.” In both cases, the only people that matter, the consumers, said, “Not so fast. “We like these companies, please don't piss them off so much that they leave.” It's
- no different than when the government forces wages to rise to an unaffordable “minimum”, and the least skilled worker finds themselves replaced by a machine that does not call in sick. If governments would stick to their core purposes (1) defense of individual liberty, (2) protection against crime/war, and (3) the management of a court system to decide disputes, the world would go round a lot better.
- **I LOVE THIS (FOR REAL)** – Over one of the winter snows we had in February, I read *Miracle Morning* by Hal Enrod. The book contains a great quote from one of history's great speakers on personal development—Jim Rohm. He says, “Your level of success will rarely exceed your level of personal development because success is something you attract by the person you become.” This is so true. I coach a lot of small business owners. I've yet to come across a single one who was able to vastly improve the business without spending significant time and effort improving themselves.
  - **THE SOUNDS OF SILENCE** – One of the personal habit changes I am experimenting with is turning off the noise. I'm the guy who likes listening to a book or podcast or the news while doing the dishes, driving, or just while getting ready for the day. My brain is in constant information-accumulation mode. For 30 days, though, I am turning that all off. Driving in silence. Doing household chores without ear pods; (I've never liked running with headphones on). Basically, I'm trying to go into non-thinking mode. It's been very interesting. I have more new ideas that I'm trying to implement than ever before. Do you know how some of your greatest thoughts come to you while you are daydreaming or in the shower? That's happening to

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# Crazy Lawsuit OF THE MONTH



*Do you like vanilla or chocolate? When you order a vanilla ice cream cone or buy vanilla flavoring for your coffee, do you expect that the product you are buying to be made from vanilla beans? Or do you just want it to taste like vanilla, as opposed to chocolate or strawberry or my favorite, mint chocolate chip?. Here's a hint on where this article is going:*

When you order "root beer" flavored soda, do you really think there is beer in it?

Me neither.

This is why I don't understand why, when COVID has devastated court dockets and delayed a lot of important trials and hearings for people and companies with real problems, attorney Spencer Sheehan is going around the country suing food manufacturers for "false advertising" when their vanilla product contains no vanilla beans. Crazy stuff!

According to the February 8 edition of the *Wall Street Journal*, he also once sued a company that made "Hawaiian Bread" because the bread was baked outside of Hawaii. ■

### SMALL BUSINESS TIP

Go to Amazon and order yourself a copy of *Building a Story Brand*, by Donald Miller. Miller will help you re-focus your company's marketing message, and he'll get you to look at your business through your prospect's eyes. There are a gazillion ways to market your business. How are you going to stand out?

So many businesses just say, "Trust us, we care." Miller's book set out easy-to-follow strategies and language that any business can use to refine their message. If there is interest, I'd be happy to run a one hour Q&A and mastermind session for any local business owner who reads *Story Brand* and wants to discuss it with a group of like-minded owners. Send an email to [Ben@benglasslaw.com](mailto:Ben@benglasslaw.com) if you'd like to participate in a Zoom call. ■

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### What Would Ben Say

me all the time now. Since it takes at least 30 days to cement a new habit, I'll report back on this later.

- **I'M PONDERING THIS IDEA** — We have a bunch of young folks working for us as interns. They are go-getters, and I think they learn what we are doing here at the law firm through interaction. I've been thinking about putting together a little mentoring group. We can do this over Zoom. This would be for high school students first. Have you ever wanted to talk to someone about business? Or about building success? Or just trying to find yourself in this, sometimes, very mixed-up world? Reach out and let me know if this

interests you (or one of your kiddos, but maybe have them reach out to me) at [ben@benglasslaw.com](mailto:ben@benglasslaw.com).

- **ANOTHER THING COVID HAS TAUGHT US** — In adversity, there is an opportunity—if you are looking. Pre-COVID, going to the DMV was widely thought of to be an excruciating experience. Long lines and (sometimes) grumpy folks behind the counter. How could we make this better? Boom. A worldwide pandemic has taught us that you can make an appointment, show up prepared, and get your paperwork done in 15 minutes. Yes, sure, you have to plan your day and no, you can't wait until the last minute. Wow, the experience at our local DMV recently was fantastic! ■



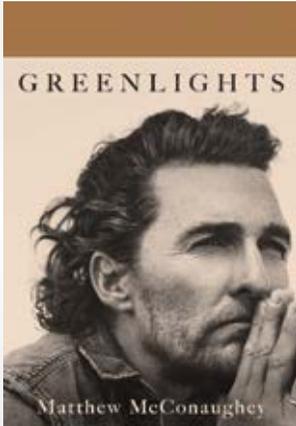
## How to Get Hired

*We've just gone through another round of interviews and hiring for an administrative assistant position (it seems like we're constantly expanding!). Most of the people I talked to for this position were fresh out of college and considering law school. The ones who were seriously considered for the position did a few things to stand out:*

- 1 Tell me why you applied for *this* job.** The temptation as an applicant on job sites like Indeed is to hit as many businesses with your resume as you can. I get it, and it's the exact same thing I did before I knew better. However, it is clear to the interviewer (if you get an interview) who has and who has not done serious research on the firm before walking in the door. One of the first questions I always ask an interviewee is, "What do you know about us?" If the response includes something that can be found on the front page of our website, I'm usually not interested. Ben Glass Law posts long-form job descriptions that go into great detail about not only the job but our office culture. The goal is to attract people who want to work in the culture, not people who just want to do the job. There are many law firms out there. I want to hear why you want to work at **my** law firm. The same will be true of any company worth working at for very long.
- 2 Be selective with your applications and enthusiastic about the positions you applied for.** I could have used this advice in law school. I applied to **everything** and got rejected **over 100 times** (I've lost them now, but I kept the stack of rejections for years). In retrospect, I'm sure that most firms' lack of interest in me had a lot to do with my lack of interest in them. As an interviewer, if I'm doing more talking than you are, we have a problem. My advice to people getting out of college and law school now would be to only apply to and spend time in interviews with companies that you can talk excitedly about.
- 3 Sent a cover letter *specific* to this job.** We received over 100 applications for our position. The first easy way to stand out is not to send in a cover letter. Those resumes simply get skipped. The second way to stand out is to send a cover letter explaining why you'd be perfect at the job. Again, not why you'd be a great [whatever the job is] but what you'd bring to the table at **this** company. Don't make the mistake of thinking that just inserting the company's name into your generic cover letter will do the trick—those are easy to spot when you're sorting through 100 applicants.
- 4 Demonstrated a willingness to learn.** We seek out and hire "forever learners" here. We ask questions like, "What are you working on?" and "What are you reading, watching, and listening to?" The answers to those questions tell you a lot about the applicant. We also put our applicants through a battery of personality profiles—and something new this time around. We sent them the profile result and asked for their feedback. The best applicants are the ones who acknowledge their faults (not in a "my biggest fault is I work too hard" kind of way) and tell you what they're doing to fix them. ■

# Inside The Mind of Brian Glass

## BESTS OF THE MONTH



### Book

*Greenlights*  
by Matthew  
McConaughey

(Ok, I “read” the  
audible version  
of this. You  
should too.)

### Quote

*“You are scared of dying... and tell me, is the kind of  
life you lead really any different than being dead?”*

– Seneca

### Purchase

“No Stress Chess” – a simple,  
card-based version of the game  
for young kids. I’m not very  
good at chess, and I’ve decided  
to teach my boys to also not  
be very good at chess.



## What are the Glass Bros up to?

The older two boys—  
Kellan (7) and Nolan  
(5)—spent the day with  
mom and dad snow-  
tubing and skating at  
Bryce Mountain in Basye,  
Virginia. Both boys are  
small enough to bounce all  
the way out of the tube

when it hits a bump—and live to tell about it. (I promise Nolan is having fun in this photo).  
We were impressed with their “no-quit” attitudes on the ice rink. They’ve never been skating  
before. But, with the help of a small chair, we were able to make it around the rink several  
times before getting too cold and packing it in. ■



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## A Note from Ben Glass

Welcome to the first issue of our new and improved LiveLifeBIG Newsletter! I'm excited to share more viewpoints from our talented and knowledgeable team, including my son, Brian. Email Ben@BenGlassLaw.com and let me know what you think. We love to hear from you!



## Inside This Issue...

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## Thanks to All Who Responded to Our Halo Fitness Giveaway!

We ended up giving away 10 memberships to the best gym in Northern Virginia. We even had a visit from one of Northern Virginia's celebrity athletes, our good friend Dixon Hemphill, who just turned 96 and was looking for a new gym. (Google Dixon Hemphill running champion.)



## BenGlassLaw's Delights

Dear reader, as we approach the greenest of all holidays—Saint Patrick's Day—we would be remiss if the BenGlassLaw team didn't share our delight with an Irish gem-of-a-show called *Derry Girls*.

Set in Derry, Northern Ireland, in the 90s, this hilarious comedy is available on Netflix. The show follows Erin, her cousin Orla (properly insane and comedy gold), her friends Clare, Michelle, and Michelle's English cousin James (who they torture for being English and for being the only boy at their all-girls catholic school). It is quick, witty, and hopelessly and ironically Irish. If you want an easy and entertaining comedy binge for the upcoming (likely indoor and socially distanced) Saint Patrick's Day holiday, look no further! You may need the subtitles from time to time, and there are some "bad" words, but it truly is, dare we say, delightful? You bet it is! ■